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PROOF-OF-AGE RECORDS

BY MISS JEANIE V. MINOR,
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The great increase in the issuance of employment certificates may be readily seen by a comparison of the numbers granted in 1908 and 1909. In 1908 there were issued in New York State approximately 28,000 certificates, of which 24,000 were issued in New York City. In 1909, 30,000 were issued in New York City alone.

As far as proof of age is concerned, it has been held that the birth certificate is the most satisfactory proof of age to be obtained. When the new law went into effect, requiring the evidence of age to be taken in a prescribed order, and placing the birth certificate first on the list, it was thought by many that not enough birth certificates could be obtained to make the rule worth while. Experience has shown, however, that of the 30,000 certificates issued in 1909, seventy-five per cent. were based on birth certificates. This result has been obtained simply because of strict adherence to the rule that either a birth certificate must be procured or the applicant must satisfy the officer issuing the employment certificate that the birth has not been recorded, or that an effort has been made, without success, to procure it. This applies to foreign as well as to native-born children. Of course, it is a recognized fact that in certain parts of Russia, owing to the destruction of Jewish records, birth certificates cannot be secured, but wherever records are available they must be obtained if possible.

The National Child Labor Committee, through the co-operation of the State Department at Washington, has compiled and published a pamphlet of directions for obtaining birth certificates from all foreign countries. As a result, foreign-born children applying for employment certificates, receive carefully worded instructions, telling how, where and to whom to send for a birth certificate, and the amount of the legal fee required in each case. They are also told to register the letter, and if the birth certificate is not received at the end of six weeks to return with the registry receipt. This

receipt is the proof of endeavor to comply with the law, and the next form of evidence is then accepted.

The evidence of age next in order of precedence is the diploma or graduation certificate which can only be used as evidence if the school register shows the child to be at least fourteen years of age.

Third in order come the baptismal certificates and the passport. There are two kinds of passports, one giving the date of birth of the child, in most cases correctly; the other giving simply the age of the child at the date of issuance of the passport. Here the true age is generally suppressed and a lower age substituted, as cheaper passage rates are thereby secured.

Parents' Affidavit Worthless

Under the fourth heading, known as "other documentary evidence", come all kinds of miscellaneous proofs of age, which, however, must be based on genuine documentary proof. The affidavit of the parent has been absolutely barred out as evidence, experience having proven in New York, as in other states, that the incentive back of this form of evidence renders it thoroughly unreliable. The affidavits of "disinterested parties having knowledge of the birth" have also been excluded as evidence, as it was found necessary to prosecute two of these disinterested parties for perjury, they having sworn that the boy in question was over fourteen, and the boy's birth certificate, obtained a month later from Austria by the New York Child Labor Committee, proving him to be six months younger.

Confirmation certificates, family Bibles, insurance policies, hospital records, records of relief societies, immigration records, court records, asylum records and many other documentary records are accepted as evidence of age, but in all these cases the evidence must be submitted to the Board of Health before the employment certificate can be issued.

Where no evidence of any kind can be secured, the New York law provides that the age of the child may be determined by a physical examination, such examination to be made separately by two medical inspectors of the department of health. But in order that this may be used only as a last resort, the law requires that ninety days must elapse from the date of the application before the examination shall be given, so that the child will make every

effort to secure other evidence during that period. If granted immediately upon application, no such effort would be made. In 1908, four hundred and six of these applications were filed and thirty-seven subsequently withdrawn on other evidence, seventeen having secured birth certificates.

In New York State birth certificates may be obtained from Albany without charge if required for employment certificates. In the capital of New Jersey the fee charged is ninety cents—well nigh a prohibitive price for the very poor. Should not these fees be remitted there and in other states in any case where the birth certificate of a child is a legal requirement?